

Department of Resources Recycling and Recovery

SCOPE OF WORK (also STATEMENT OF WORK or SOW) ***Local Funding and Siting: Case Studies, Samples, and Strategies***

I. INTRODUCTION/OBJECTIVES

Assembly Bill 341 (Chesbro, Stats. of 2011, Ch. 476) established a new statewide goal of reducing, recycling, and composting 75% of the material that would otherwise be landfilled. In order to reach this goal, CalRecycle estimates that by 2020 it will be necessary to redirect over 20 million tons of material annually from being disposed in landfills. To the extent that this can be accomplished in-state, CalRecycle expects to see a commensurate increase in jobs, along with significant reductions in greenhouse gas emissions. However, this will require the development of new processing and recycled content product manufacturing facilities around the State.

The Local Funding and Siting: Case Studies, Samples, and Strategies contract is designed to provide CalRecycle and local agencies with new resources to address local needs related to recycling programs and a variety of infrastructure issues. The Contractor will primarily identify, summarize, and provide various deliverables related to: 1) Options for financing local agency solid waste and recycling programs and infrastructure; and 2) Issues to consider related to how local agencies address siting of recycling infrastructure (including but not limited to CEQA, emissions including greenhouse gas emissions, zoning, general plans, and disadvantaged communities).

Building upon existing tools and working in collaboration with stakeholders, the Contractor will develop resources for local officials related to local funding and siting. This includes one or more Advisory Committees; one or more sample ordinances and/or policies; webinars, case studies, and a web-based resource center accessible to local planners, public works officials, and decision-makers.

The high level of expertise required from various disciplines necessitates that the Contractor assemble an advisory committee of highly experienced people. The Contractor must bring together experts, including consultants, an advisory committee and other staff, to participate in this project, prepare the deliverables and effectively provide the necessary assistance. Members of the Contractor's team must be highly knowledgeable regarding local financing, siting, CEQA, general planning, zoning issues, state and local interagency regulatory coordination, and recycling programs. The Contractor and team must work closely with local level staff to develop the desired resources. These resources must be developed in a way that is readily usable to stakeholders. The materials and resources produced must be adaptable for use in different communities to reflect different local circumstances and needs, for example, sample policies that can be modified by different agencies, as appropriate. When practical, these materials will be peer-reviewed by other local officials with similar disciplinary backgrounds to verify their accuracy and usability, and be consistent with legal and regulatory requirements. Materials should be written in a manner appropriate for local elected officials and staff to use, even if they have limited experience or knowledge expertise in the area. These parameters will help ensure

that the materials and resources developed will be useful amongst a wide variety of local officials and local agencies with differing administrative structures, business climates, and demographics.

To meet these standards the Contractor's team must work directly in conjunction with local level staff, specifically public works and local planning officials, economic development staff and elected representatives, which is critical to the success of this contract. This will include communicating and working with the League of California Cities, the California State Association of Counties (CSAC), Rural County Representatives of California (RCRC), and other local government organizations, as well as business-oriented organizations such as Chambers of Commerce and the Build Infrastructure Now (BIN) coalition, to maximize interest by local governments to adopt and implement the Case Studies, Samples, and Strategies documented during the duration of this contract. The Contractor's team should have demonstrable experience in facilitating workshops involving State agencies and local elected representatives; developing case studies, sample ordinances, and locally-based research studies; developing web-based resources that have proven to be effective tools for local agencies; and have a reputation for providing guidance documents or whitepapers on complex policy topics for the non-waste-industry professional audience in local government in relation to the topics cited above.

II. WORK TO BE PERFORMED

The Contractor is responsible for developing technical resources, research projects, webinars, case studies, and other deliverables that will assist local agencies in evaluating options for additional processing and recycling manufacturing infrastructure. The following is a general overview of the work that the Contractor shall perform.

- Task 1. Development of Project Work Plan
- Task 2. Financing Local Solid Waste and Recycling Activities/Programs,
- Task 3. Siting Local Recycling Infrastructure – Options and Issues to Consider for Local Review and Approval
- Task 4. Administration and Reporting

These tasks will be completed by:

- Identifying and describing the variety of funding methods used by local agencies to finance recycling programs and infrastructure facilities, whether they are unique to a specific locality or used in commonality with other local jurisdictions and/or agencies. Ideas from stakeholders about new methods of local funding that may not yet be utilized, but could prove to be beneficial in the future, will be compiled and summarized; the description should include local government perspectives on the opportunities and barriers of different funding methods.
- Identifying success stories and examples of how cities and counties address recycling infrastructure facility development issues related to CEQA, greenhouse gas emissions, zoning and general plans, and disadvantaged communities. Information

received from stakeholders will be summarized, including pros/cons, and examples of success stories and strategies will be developed.

- Identifying potential economic development opportunities and community impacts from locating and siting manufacturing businesses that use materials with recycled content.
- Compile potential statutory and regulatory suggestions raised by local officials that could simplify siting and permitting of new or expanding facilities associated with processing, composting and anaerobic digestion, and recycled content product manufacturing.

The goal of developing these materials will be to provide local officials and others with the following:

- Options and issues to consider when evaluating potential recycling programs, infrastructure projects, and local circumstances.
- Factual, unbiased information related to legal requirements for siting recycling infrastructure and financing solid waste and recycling programs.

III. TASKS IDENTIFIED

Task 1: Develop Project Work Plan

- a) The Contractor shall work with the CalRecycle Contract Manager (Contract Manager) to prepare a work plan that details the methodology to meet the project objectives and how the tasks will be completed, including all deliverables (including reports, presentations and/or dissemination of information to stakeholders, materials to be posted or revised on the web and newsletter or list serve functions, or communicated by other means).
- b) The work plan will include a timeline for all tasks and deliverables.
- c) The work plan should identify any entities with which the Contractor will coordinate to accomplish the identified tasks.
- d) No other work shall be conducted until the work plan is approved by the Contract Manager.

Should changes to the work plan be necessary, the Contractor will submit any such changes to the Contract Manager for approval before conducting other work.

Task 2: Financing Local Solid Waste and Recycling Activities/Programs

Contractor shall identify and describe the range of funding methods, including public private partnerships, available to and/or used by cities and counties to support solid waste and recycling programs and their associated infrastructure. Contractor shall develop resources to help local agencies understand existing and new programs to consider related to recycling infrastructure, thus contributing to the statewide goal of reducing, recycling, and composting 75% of material

that otherwise would be landfilled. This would include both how to fund AB 939 (Sher, Status of 1989, Chapter 1095) diversion programs faced with declining revenues and resources, as well as how to fund new infrastructure, as appropriate, to support AB 341.

- a) The Contractor shall, in consultation with the Contract Manager, establish an advisory committee consisting of representatives such as public works and local planning officials, and elected representatives, CalRecycle staff, local economic development staff, waste industry and environmental organization representatives, and others. The purpose of this committee will be to advise the Contractor and CalRecycle on real-world, impartial tools that public works and local planning officials, and decision makers can utilize and to participate in various workshops and webinars that the Contractor will conduct (see Tasks 2e and 3e) to gather and disseminate information.
- b) The Contractor, working through its own contacts and the advisory committee, shall survey cities and counties and waste/recycling representatives to learn how they are financing local agency solid waste and recycling activities/programs including infrastructure/facilities, and prepare case studies and samples of different financing approaches. The Contractor shall also solicit ideas from stakeholders about models/concepts for funding that have not been utilized, and shall summarize information received from stakeholders. The description must include local government perspectives on the opportunities and barriers of different funding methods.
- c) The Contractor shall compile a list and description of local financing mechanisms for solid waste and recycling activities/programs including infrastructure/facilities. The Contractor shall also prepare three to five case studies of individual agencies and/or snapshots of multiple agencies, highlighting local agency experiences in financing local solid waste and recycling activities/programs for review and approval by the Contract Manager. The list of case studies shall be used as background material for Tasks 2d and 2e, and shall be incorporated into the draft webpages under Task 2f and report under Task 2g. The Contractor shall also compile a list of suggestions from stakeholders for new approaches for funding of recycling programs and infrastructure based on the information received from stakeholders, including local government perspectives on the opportunities and barriers of new funding methods.
- d) The Contractor shall prepare a written summary, to be used as background material for Task 2e and as part of the summary in Task 2g of different funding methods to educate local officials and others for review and approval by the Contract Manager. The summary shall include relevant information from Task 2c, identify and describe potential other types of local financing mechanisms that were not identified from the survey (if they exist), and summarize information received from stakeholders including local government perspectives on the pros and cons of these different funding methods.
- e) The Contractor shall host 2-3 webinars in conjunction with CalRecycle, subject to approval of the Contract Manager, to share information and local agency experiences related to funding methods and to solicit additional information and concepts from participating stakeholders.

- f) The Contractor shall create a set of webpages related to financing mechanisms for local agency solid waste and recycling activities/programs including infrastructure/facilities for review and approval by the Contract Manager. All of the webinars, tools, case studies and other education materials shall be hosted on the Contractor's website and shall be linked to other appropriate webpages, including CalRecycle's, and potentially other locations as applicable (e.g., Governor's Office of Planning and Research (OPR) General Plan update website, local/state water and air regulatory agency websites, etc.)
- g) The Contractor shall, with the approval of the Contract Manager, use the results of Tasks 2d and 2e to prepare a synopsis (or interim report) to CalRecycle that summarizes options for financing local agency solid waste and recycling activities/programs and that includes the deliverables from tasks above (i.e., case studies, information received from stakeholders, summaries including pros/cons, etc.) and potential statutory and regulatory suggestions and improvements that will assist with these issues.

Task 3: Siting Local Recycling Infrastructure – Options and Issues to Consider for Local Review and Approval

Contractor shall provide information to help local elected representatives and local jurisdiction public works and local planning officials understand policies and issues related to siting and approving recycling infrastructure (such as material recovery facilities and composting facilities) and recycling-related manufacturing projects (such as businesses that manufacture products with recycled content). This shall include examination of General Plan requirements including any new relevant General Plan guideline updates prepared by OPR during the course of this contract.

- a) The Contractor shall, with the approval of the Contract Manager, establish an advisory committee (or utilize the same committee noted in Task 2a) consisting of representatives such as city and county public works and local planning officials, elected representatives, CalRecycle staff, local economic development staff, waste industry and environmental organization representatives, and others. The purpose of this committee will be to advise the Contractor and CalRecycle on real-world, impartial, cross-referenced tools that public works and local planning officials and decision makers can utilize. The committee shall also participate in various workshops and webinars that the Contractor will conduct (see Task 3d) which will be used to gather and disseminate information.
- b) The Contractor, working through its own contacts, such as the League, RCRC and CSAC, shall survey cities and counties, special districts, and waste/recycling representatives to identify challenges and identify strategies about how they are siting recycling infrastructure and to identify case studies, tools and/or models (such as CEQA compliance, calculating greenhouse gas emissions as they relate to CEQA from such projects, tiering off of previous CEQA review documents, zoning, and general plans, disadvantaged communities etc.). The Contractor shall also compile potential statutory and regulatory suggestions raised by local officials that could simplify the siting process, as well as compile a list of samples, tools, and concepts for new approaches to siting strategies based on the information received from stakeholders, for review and approval by the Contract Manager.

- c) The Contractor shall compile a list and description of sample infrastructure and local siting strategies. Using the summary of the survey results from Task 3b, with the approval of the Contract Manager, the Contractor shall identify the most critical needs from stakeholders related to siting, CEQA, and other issues. The Contractor shall:
- i. Prepare three to five case studies of individual agencies and/or snapshots of multiple agencies, highlighting local agency experiences in siting local solid waste and recycling infrastructure, including how they have addressed challenges;
 - ii. Prepare a written summary or tip sheets that identify and describe potential other types of local siting strategies (if they exist), and summarize information received from stakeholders including local government perspectives on the opportunities and barriers of new siting strategies;
 - iii. Develop sample local planning resources such as ordinances or zoning codes that can be adapted by individual communities and individual needs (e.g. sample “Recycling Infrastructure Zone” ordinance), local planning procedures, and tip sheets that will address these needs as applicable. The number of tip sheets shall be determined by the Contractor and Contract Manager;
 - iv. Prepare a written summary or tip sheets about planning and zoning issues related to siting manufacturing facilities that produce products made with recycled content and summarize information received from stakeholders including local government perspectives on the pros and cons;
 - v. Prepare a written summary or tip sheets about economic development opportunities and community benefits that a local government may receive from locating and siting manufacturing business that use materials with recycled content. and summarize information received from stakeholders including local government perspectives on the pros and cons;
 - vi. Prepare a written summary or tip sheets to help local officials understand options available to comply with CEQA for review of recycling infrastructure including how to address proposed manufacturing projects that use recycled materials that focuses on planning and zoning issues and summarize information received from stakeholders including local government perspectives on the pros and cons;
 - vii. Prepare a written summary or tip sheets to help local officials understand the difference between a solid waste landfill and recycling-related/non-disposal facilities and summarize information received from stakeholders including local government perspectives on the pros and cons;
 - viii. Prepare a written summary or tip sheets to help local officials understand the relationship between an agency’s general plan and recycling facilities, such as material recovery facilities or, composting facilities and summarize information received from stakeholders including local government perspectives on the pros and cons;
 - ix. The Contractor shall also identify and compile potential statutory and regulatory suggestions and improvements from stakeholders that will assist with these issues and submit summary for approval by the Contract Manager.

The list of model infrastructure siting strategies, case studies, and tip sheets shall be used as background material for Task 3d and shall be incorporated into the draft webpages under Task 3e and report under Task 4a-iv.

- d) The Contractor shall host 2-3 webinars or workshops in conjunction with CalRecycle and OPR, subject to approval of the Contract Manager, to share information and local agency experiences related to siting strategies and to solicit additional information and concepts from participating stakeholders. The Contractor shall provide suggestions that CalRecycle can provide to OPR on links/information for OPR's new online General Plan and other websites as applicable.
- e) The Contractor shall create a draft set of webpages related to strategies for siting local agency solid waste and recycling infrastructure for review and approval by the Contract Manager. All of the webinars, tools, case studies and other education materials will be housed on the Contractor's webpages. These webpages are to be hosted on the Contractor's website and will need to be linked to other appropriate webpages, including CalRecycle's website, and potentially other locations as applicable (e.g., Governor's Office of Planning and Research (OPR) General Plan update website, local/state water and air regulatory agency websites, etc.)

Task 4: Administration and Reporting

- a) Reporting
 - i. The Contractor will communicate with the Contract Manager on an ongoing basis and provide written summaries, for the completion of each task/deliverable, to the Contract Manager covering activities that are in progress, completed, and upcoming; any issues that have arisen; a budget status; and status of meeting the timelines established in the work plan.
 - ii. If significant or unforeseen complications or issues arise, the Contractor shall not wait for a scheduled report and will report them to the Contract Manager immediately.
 - iii. Contractor shall submit a draft final report focused on highlighting completed deliverables and linked to the various tools to the CalRecycle Contract Manager six weeks prior to the due date for the final report. The Contract Manager will coordinate review by CalRecycle staff and consolidate and provide comments and questions to the Contractor, who will address or incorporate these comments and questions into the subsequent draft of the report. Any requested changes must be completed by the Contractor and resubmitted to the Contract Manager for final approval. Only when all revisions are made and approved by the Contract Manager will the report be deemed final.
 - iv. The final report for publication by or for CalRecycle in accordance with this contract shall adhere to CalRecycle's Contractor Publications Guide at www.CalRecycle.ca.gov/Publications/PubGuide/ and must be reviewed by a technical editor of the Contractor's choosing to assure that the reports comply with CalRecycle's publication guidelines, after which they shall be submitted to and reviewed by the Contract Manager in consultation with the CalRecycle editor.

The Contractor is encouraged to consult with the CalRecycle project management and editorial staff early in the development process to ensure deliverable requirements are clearly understood and to minimize the need for revisions.)

- v. The Contractor will provide a final report on the contract, the work performed, on or before May 15, 2015.
- vi. Contractor will not receive final payment until the final report has been approved by the CalRecycle Contract Manager. The final report shall be printed double-sided, on 100 percent recycled-content paper.

IV. CONTRACT/TASK TIME FRAME

The contract is estimated to begin ~~July~~ May 2013 and end June 2015. The tentative timeframe below reflects the task/time frame of the contract from date of award:

Task	Deliverable(s)	Estimated Timeframe
Develop Project Work Plan	Development of work plan tasks, deliverable, and timelines.	Summer Spring 2013, Ongoing as needed for revisions
Financing Local Solid Waste and Recycling Activities/Programs	Establishment of an Advisory Committee; Interim program funding survey results; Program funding case studies; Financing strategy tip sheet for local officials; Webinars; Resource and materials webpages.	Ongoing through Spring 2015
Siting Local Recycling Infrastructure – Options and Issues to Consider for Local Review and Approval	Establishment of an Advisory Committee (or use committee from Task 2); Interim siting strategies survey results; Adjustable local planning models, “Sample Recycling Infrastructure Zone Ordinance” written summary or tip sheets about siting and zoning manufacturing facilities, economic development, complying with CEQA for review of recycling infrastructure, understand the difference between a solid waste landfill and recycling-related/non-disposal facilities, relationship between an agency’s general plan and recycling facilities; Webinars; Resource and materials webpages;	Ongoing through Spring 2015
Administration and Reporting	Progress and final reports	Quarterly progress reports based on completion of tasks/deliverables Final report for all activities due May 2015

The following provisions will be included in the Terms and Conditions or Special Terms and Conditions of the Contract:

COPYRIGHT PROVISION

The Contractor shall assign to the Department of Resources Recycling and Recovery (CalRecycle) any and all rights, title and interests to any copyrightable material or trademarkable material created or developed in whole or in any part as a result of this Agreement, including the right to register for copyright or trademark of such materials. The Contractor shall require that its subcontractors agree that all such materials shall be the property of the CalRecycle. Such title will include exclusive copyrights and trademarks in the name of the CalRecycle.

CalRecycle hereby grants to Contractor a royalty-free, nonexclusive, nontransferable world-wide license to reproduce, translate, and distribute copies of the copyrightable materials produced pursuant to this Agreement, for nonprofit, non-commercial purposes, and to have or permit others to do so on the Contractor's behalf. CalRecycle hereby grants to Contractor permission to post the copyrightable materials on Contractor's website for nonprofit, non-commercial use and distribution by local and municipal governments and other stakeholders of Contractor and CalRecycle. This license is limited to the copyrightable materials produced pursuant to this Agreement and does not extend to any materials capable of being trademarked. The following shall appear on all intellectual property used by Contractor pursuant to this license, solely for the purpose of protecting CalRecycle's intellectual property rights therein: "© {year of creation} by the Department of Resources Recycling and Recovery (CalRecycle). Used pursuant to license granted by CalRecycle. All rights reserved. This publication, or parts thereof, may not be reproduced without permission." For documents intended for public distribution, the sentence "This publication, or parts thereof, may not be reproduced without permission." may be omitted from the copyright notice with the approval of the Contract Manager.

For contracts of \$5,000 or more, any document or written report prepared for or under the direction of CalRecycle, shall include a notation on the inside cover as follows: "Prepared as part of CalRecycle contract number {Insert}, Total Contract Amount {Insert}, pursuant to Government Code Section 7550." For documents with no cover, this notation shall be included elsewhere in the document with the location subject to approval by the Contract Manager.

V. WASTE REDUCTION AND RECYCLED-CONTENT PRODUCT PROCUREMENT

In the performance of this Agreement, Contractor shall use recycled content, used or reusable products, and practice other waste reduction measures where feasible and appropriate.

Recycled Content Products: All products purchased and charged/billed to the CalRecycle to fulfill the requirements of this contract shall be Recycled Content Products (RCPs), or used (reused, remanufactured, refurbished) products. All RCPs purchased or charged/billed to the CalRecycle to fulfill the requirements of the contract shall have both the total recycled-content (TRC) and the postconsumer content (PC) clearly identified on the products. Specific requirements for the aforementioned purchases and identification are discussed in the Terms and Conditions of the Contractual Agreement under Recycled-Content Product Purchasing and Certification.

The Contractor should, at a minimum, ensure that the following issues are addressed, as applicable to the services provided:

A. WRITTEN DOCUMENT PROVISION

The final report for publication by or for CalRecycle in accordance with this contract shall adhere to *CalRecycle Contractor Publications Guide* (www.calrecycle.ca.gov/Publications/PubGuide/default.htm) and shall be reviewed by the CalRecycle's Contract Manager in consultation with one of CalRecycle's editors.

In addition, these documents and/or reports shall be printed double-sided on one hundred percent (100%) recycled-content paper. Specific pages containing full-color photographs or other ink-intensive graphics may be printed on photographic paper. The paper should identify the postconsumer recycled content of the paper (i.e., "printed on 100% postconsumer paper"). When applicable, the contractor shall provide the contract manager with an electronic copy of the document and/or report for the Board's uses.

To the greatest extent possible, soy ink instead of petroleum-based inks should be used to print all documents

B. CONFERENCING PROVISION:

The contractor shall take any and all steps necessary to make sure that any event or meeting held as part of this contract is a model for future recycling, waste prevention, diversion, buy recycled, and waste management events.

Paper Products: All paper products used to fulfill the requirements of this contract (nametags, badges, letters, envelopes, brochures, etc.) must contain at least 30% post-consumer recycled content fiber.

Re-usable Cups, Plates & Utensils: To the greatest extent possible, use re-usable/washable utensils, dishes, tableware, etc., rather than single-use disposable products.

Leftover Food/Beverages: All leftover food and/or beverages associated with any event or meeting held as part of this contract will be donated to an established food donation outlet. Arrangements for the donation must be made prior to the date of any event or meeting held as part of this contract. CalRecycle staff will assist the contractor in identifying these donation outlets, if needed.

Recycling/Composting: Arrangements must be made with the venue, sponsor, or by contract, to provide adequate collection bins for recyclables, organics (food waste) or biodegradable materials, and trash (non-recyclables). The bins should contain at least 30% post-consumer plastic. In addition, the contractor shall work with the venue and/or sponsors to maximize diversion of the discarded materials.

Soy-based Printing Ink: To the greatest extent possible, soy ink instead of petroleum-based inks should be used to print all documents needed for any event or meeting held as part of this contract.